PATENT *DFW*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(MBHB Case No. 02-728-B (400.120))

In re Application of:

McSwiggen, James A.

Serial No.: 10/607,933

Filed: June 27, 2003

For: RNA Interference Mediated Treatment
Of Alzheimer's Disease Using Short
Interfering Nucleic Acid

Group Art Unit: 1645

Examiner: Not Assigned

Conf. No. 8658

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

TRANSMITTAL LETTER

In regard to the above identified application:

1. We are transmitting herewith the attached papers for the above identified new patent application:

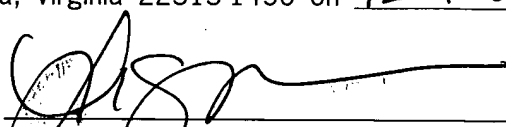
- ☒ Third Supplemental Information Disclosure Statement;
- ☒ Third Supplemental Information Disclosure Statement (IDS) PTO-1449 Form; and
- ☒ Return Receipt Postcard.

2. With respect to additional fees, no fee is believed due at this time.

3. GENERAL AUTHORIZATION: Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 on 12-4-06 2006.

By :


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PATENT

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THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Third Supplemental Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. A partial recitation of the priority claim is as follows. This application is a continuation-in-part of USSN 10/444,853, filed May 23, 2003. This application is also a continuation-in-part of USSN 09/930,423, filed August 15, 2001 and a continuation-in-part of International Patent Application No. PCT/US03/04710, filed February 18, 2003, which is a continuation-in-part of USSN 10/205,309, filed July 25, 2002. All of the applications recited herein are relied upon for an earlier filing date under 35 U.S.C. §120. In accordance with Rule 37 CFR §1.98(d), all references have been previously cited and submitted to the Patent and Trademark Office with prior applications and no references are enclosed herein.

Portions of the listed references may be material to the Examiner's consideration of the presently pending claims. This statement is not a representation that the listed references have

effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

Applicants do not believe any fee is due with this submission. If this belief is in error and the Patent Office determines that the fee prescribed in the relevant portion of 37 C.F.R. Section 1.97 is applicable, the undersigned attorney by his signature hereby authorizes any such fee to be debited from Deposit Account 13-2490.

Respectfully submitted,

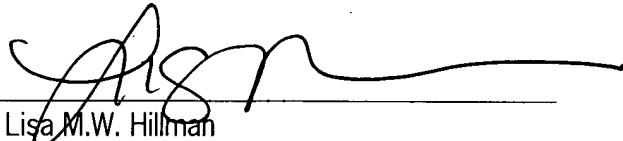
McDonnell Boehnen Hulbert & Berghoff LLP

Date:

12-4

2006

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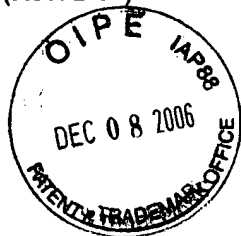
U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket No.

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Serial No.

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use several sheets if necessary)

Applicant:

McSwiggen et al.

Filing Date:

June 27, 2003

Group:

1645

U.S. PATENT APPLICATION DOCUMENTS

Examiner Initial		Document Number	Filing Date	Name	Class	Subclass	Publication Date if Appropriate
	*	08/975,238	06/19/01	Matulic-Adamic et al.			
	*	09/301,511	04/28/99	Beigleman et al.			
	*	09/740,332	12/18/00	Blatt et al.			
	*	09/800,594	03/06/01	Usman and McSwiggen			
	*	10/151,116	05/17/02	Matulic-Adamic et al.			
	*	10/417,012	04/16/03	McSwiggen et al.			
	*	10/422,704	04/24/03	McSwiggen et al.			
	*	10/607,933	06/27/03	McSwiggen et al.			
	*	10/652,791	08/29/03	McSwiggen et al.			
	*	10/693,059	10/23/03	McSwiggen et al.			
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	*	10/727,780	12/03/03	Vaish et al.			
	*	10/757,803	01/14/04	McSwiggen et al.			
	*	10/780,447	02/13/04	Vargeese et al.			
	*	10/826,966	04/16/04	McSwiggen et al.			
	*	60/292,217	05/18/01	Adamic et al.			
	*	60/306,883	07/20/01	Vargeese et al.			

EXAMINER

DATE CONSIDERED

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	*	60/311,865	08/13/01	Vargeese et al.			
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	*	US 2002/0130430	12/29/00	Caster			09/19/02
	*	US 2002/0137210	08/09/01	Churikov			09/26/02

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	*	5,108,921	04/28/92	Low et al.			
	*	5,138,045	08/11/92	Vargeese et al.			
	*	5,214,136	05/25/93	Lin et al.			
	*	5,416,016	05/16/95	Low et al.			
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	*	5,631,359	05/20/97	Chowrira et al.			
	*	5,672,695	09/30/97	Eckstein et al.			
	*	5,741,679	04/21/98	George et al.			
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	*	5,849,902	12/15/98	Arrow et al.			

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	*	5,871,914	02/16/99	Nathan et al.			
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		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No

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*	2001240375 (Old Application No. 40375/01)	03/16/01	AU (Graham et al.)				
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	*	99/49029	09/30/99	WO (Graham et al.)				
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	*	99/55857	11/04/99	WO (Beigelman et al.)				
	*	99/66063	12/23/99	WO (Manoharan et al.)				
	*	00/03683	01/27/00	WO (Boey et al.)				
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*	Abramovitz et al., "Catalytic Role of 2'-Hydroxyl Groups Within a Group II Intron Active Site," <u>Science</u> 271:1410-1413 (1996)
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*	Banerjee and Turner, "The Time Dependence of Chemical Modification Reveals Slow Steps in the Folding of a Group I Ribozyme," <u>Biochemistry</u> 34:6504-6512 (1995)
*	Bannai et al., "Effect of Injection of Antisense of Oligodeoxynucleotides of GAD Isozymes into Rat Ventromedial Hypothalamus on Food Intake and Locomotor Activity," <u>Brain Research</u> 784:305-315 (1998)
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*	Bartel and Szostak, "Isolation of New Ribozymes from a Large Pool of Random Sequences," <u>Science</u> 261:1411-1418 (1993)
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*	Bettinger et al., "Size Reduction of Galactosylated PEI/DNA Complexes Improves Lectin-Mediated Gene Transfer into Hepatocytes," <i>Bioconjugate Chem.</i> , 10, 558-561 (1999)
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*	Chartrand et al., "An oligodeoxyribonucleotide that supports catalytic activity in the hammerhead ribozyme domain," <i>Nucleic Acids Research</i> 23(20):4092-4096 (1995)
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